

#8181

AGREEMENT

Made the 24th day of September, 1997, by and between
Antal's Restaurant, Inc., t/a Charing Cross Restaurant
(hereinafter "Applicant"), and the Citizens Association of
Georgetown (hereinafter "Protestant").

WHEREAS, Applicant filed with the District of Columbia
Alcoholic Beverage Control (ABC) Board (hereinafter "the Board")
an application for renewal of a Retailer's license Class CR for
premises 3027 M Street, N.W.; and,

WHEREAS, Protestant lodged with the Board a timely
protest of said application; and,

WHEREAS, the parties subsequently have negotiated in a
effort to resolve the issues raised by Protestant's objections to
renewal of the license; and,

WHEREAS, the parties desire to enter into a voluntary
agreement, pursuant to 23 D.C.M.R. Section 1513, commemorating
their several agreements;

NOW, THEREFORE, the parties agree as follows:

1. In the event applicant's gross food sales in any
calendar quarterly period shall fall below fifty percent (50%) of
total sales, applicant shall notify Protestant of the same in
writing within thirty (30) days of the end of such quarterly
period. Applicant's advertising shall emphasize food service and
not alcoholic beverage service, although the availability of
alcoholic beverages may be mentioned as an incidental part of
advertisement of food service. No happy hour or other promotions

of the sale of alcoholic beverages will be conducted after the hour of 8:00 p.m.

2. The subject establishment's kitchen shall remain open until two (2) hours before closing and food shall be available to be served until that time.

3. The subject establishment shall not offer live entertainment or facilities for patron dancing. Any background music provided for patrons will not be audible outside of the establishment (except during normal opening and closing of doors).

4. Applicant's managers, bartenders and doormen shall receive alcohol awareness training (e.g., TIPS, TAM or any program which may be offered by the Metropolitan Police Department) within forty-five (45) days of employment. Applicant's employees shall diligently check identification of patrons, both at the door of, and within, the establishment in order to ensure that all persons consuming alcoholic beverages are of legal age.

5. Applicant shall keep the public and private space immediately adjacent to the subject premises reasonably clean and free of trash and litter, and shall police such space not less often than once per day.

6. Applicant acknowledges that failure to adhere to the restrictions recited in paragraph 1 through 5, inclusive, above, will constitute grounds for the Protestant to petition the Board for issuance of an Order to Show Cause, pursuant to 23

D.C.M.R. 1513.5, to gain Applicant's compliance with the terms of this Agreement. Prior to so petitioning, however, the Protestant shall notify Applicant of any perceived violations and afford Applicant a minimum of ten (10) calendar days in which to address or rectify the perceived violation.

7. The parties request that the text of the instant Agreement be incorporated in an order of the Board granting Applicant's renewal application, conditioned upon Applicant's compliance with the terms hereof.


8. In consideration of, and reliance upon, the foregoing commitments by Applicant, Protestant requests hereby that its protest of Applicant's application for renewal of the subject Retailer's License Class CR be deemed withdrawn.

IN WITNESS WHEREOF, the parties have affixed hereunto their hands and seals on the year and day first above written.

ANTAL'S RESTAURANT, INC.

By: 
Massoud Nadjmabadi, President

CITIZENS ASSOCIATION OF GEORGETOWN

By: 
Patrick H. Allen, Esquire
Vice President
Chairman, ABC Committee

P. File

**BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

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In the Matter of:)	
)	
Antal's Restaurant, Inc.)	
t/a The Charing Cross)	
)	
Application for a Retailer's)	Case No. <u>8781-97080P</u>
License Class CR - renewal)	
at premises)	
3021-25 M Street, N.W.)	
Washington, D.C.)	
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Patrick Allen, on behalf of the Citizens Association of Georgetown, Protestant

Massoud Najdmabade, President, on behalf of the Applicant

**Before: Barbara L. Smith, Chair
Dennis Bass, Member
Allen Beach, Member
Mary Eva Candon, Member
Laverne King, Member
Duane Wang, Member
Eydie Whittington, Member**

ORDER ON WITHDRAWN PROTEST

This matter, having been protested, came before the Board for a public hearing on July 23, 1997 in accordance with D.C. Code Section 25-115 (c)(5)(1995 Supp.), providing for remonstrants to be heard. Patrick Allen, on behalf of the Citizens Association of Georgetown, filed a timely protest letter.

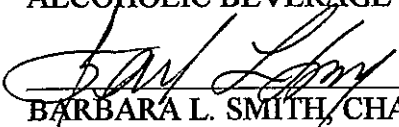
The official records of the Board reflect that the parties have now reached an Agreement which has been reduced to writing, and has been properly executed and filed with the Board. (See Agreement dated September 24, 1997.) Pursuant to that Agreement, the Protestant has agreed to withdraw the opposition provided, however, that the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the Agreement.

Antal's Restaurant, Inc.
t/a The Charing Cross
Page two

Accordingly, it is this 12th day of November 1997, **ORDERED** that:

1. The opposition of Patrick Allen, on behalf of the Citizens Association of Georgetown, be, and the same hereby, is **WITHDRAWN**;
2. The above-referenced Agreement, dated September 24, 1997, be, and the same hereby, is **INCORPORATED** as part of this Order;
3. The application of Antal's Restaurant, Inc. t/a The Charing Cross for a retailer's license class CR - renewal at premises 3021-25 M Street, N.W., be, and the same hereby, is **GRANTED**; and,
4. Copies of this Order shall be sent to the Protestant and the Applicant.

DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD


BARBARA L. SMITH, CHAIR


DENNIS BASS, MEMBER

ALLEN BEACH, MEMBER

MARY EVA CANDON, MEMBER


LAVERNE KING, MEMBER


DUANE WANG, MEMBER

EYDIE WHITTINGTON, MEMBER